

SHARED MOBILITY DEVICE WORKSHOP



OVERVIEW

- **Bikes, Scooters, etc.**
- **Typically Battery Powered**
- **May be Docked or Dockless**
- **Allow for Electronic Payment (Mobile/Credit/Debit)**
- **Charged at Night by Third Parties**
- **Providers: Lime, Bird, Jump, CitiBike, etc.**



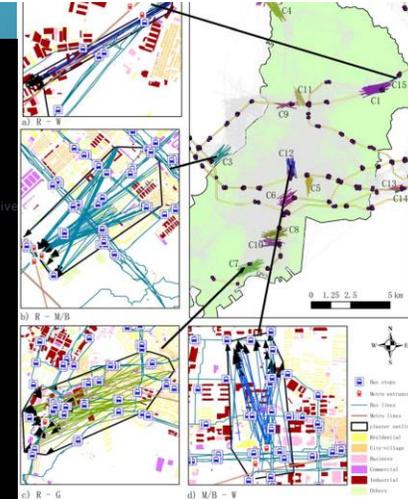
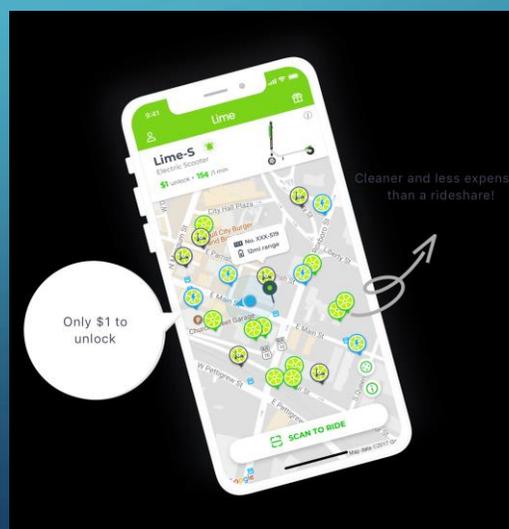
FEATURES

- Electronic Payment
- Cash Payment Options
- GPS Tracking & Control/Geofencing
- Origin/Destination Data
- Helmets Available
- Programs for disadvantaged



Free Helmet Distribution

Lime will distribute 250,000 helmets worldwide as part of the Respect The Ride campaign.



Cleaner and less expensive than a rideshare!

BENEFITS

- Fun
- Convenient
- Easy to Use
- Highly Manuverable
- “Zero” Emission



DISADVANTAGES

- **Safety**
 - Operator Inexperience
 - Lack of Protective Equipment
 - Interaction with Autos, Pedestrians, Bicycles
- **Parking**
 - ROW use
 - ADA/Accessibility
 - Blight



LEGAL/RISK

- ADA lawsuits for operation on or blocking sidewalks
- Personal injury lawsuits for small scooter wheels causing accidents from potholes, cracks, or debris on pavement
- Pedestrians could be struck or trip over equipment
- Risk mitigation:
 - Require mobility companies to assume all risks with indemnification and insurance
 - Designate docking stations or parking areas
 - Require users to sign waivers of claims against the City



Who Is Liable for Damages After an Electric Scooter Accident?

Negligent drivers are often responsible for electric scooter accidents. But there are also other parties who may be liable. For instance, if you were hit by a commercial truck driver, liable parties may include the trucking company, the cargo loader, or the maintenance company. If you were hit by a driver who was on the clock at the time, the person's employer may be liable.

In other cases, a defective part or malfunction — either in the scooter or the automobile — may be to blame for the crash. In these cases, liable parties may include the scooter company, the company responsible for maintaining the scooter, the manufacturer of the defective auto part, etc.

Under certain circumstances, dangerous road conditions such as potholes may be to blame for a scooter crash. Victims may be able to hold municipal governments accountable when injuries result from roadway defects.

Holding an at-fault party accountable all starts with a careful investigation. By hiring an attorney, you give yourself a fighting chance against big insurance companies that have endless resources to find witnesses and build a strong defense. At Ketterman, Rowland & Westlund, we fight the big insurance companies head-on.

[Schedule A Free Consultation](#)



LEGISLATION - AB1112

- Requires visible, unique alphanumeric ID on device.
- Allows City to require trip data but limits it to aggregated form
- Prohibits City from imposing unduly restrictive requirements including:
 - requiring operation below cost
 - requiring providers to pay unreasonable fees
 - creating more restrictive requirements than that for personally owned devices



LEGISLATION - AB1286



- **Provider must obtain a permit/agreement with City**
- **Sets minimum insurance requirements for provider**
- **Prohibits waivers of rider's legal rights or remedies**
- **Requires City to adopt operation, parking, maintenance, and safety rules prior to permitting**

OTHER CONSIDERATIONS

- Increased competition
- Evolving technologies/new platforms
- City's cost to manage



FEES CHARGED TO OPERATORS

- Reviewed other agency fee structures.
- Typically a flat permit fee and per device fee.
- Annual fees (flat fee + per device fee) \$50,000 - \$85,000 for a 500 unit fleet.
- Impound/storage fees often \$100-150 per incident.

OPTIONS

- **Do nothing – will be allowed under state law with no City protection**
- **Prohibit Operation**
- **Regulate Operation**
 - **Ordinance to Control Operation and Parking**
 - **Require Permit and Franchise Agreement with Insurance, Indemnification and cost recovery provisions**
 - **Institute a Pilot Program**